

Entered - 08/01/00 - sb
CL00L0458 - DIANNE C. MITCHELL

00-*R*-1754

CLAIM OF: **TERRON MITCHELL**,
through his attorney,
Darrell L. Burrow
4812-A Old National Highway
College Park, Georgia 30337

For damages alleged to have been sustained as a result of a vehicular
accident on June 29, 2000 at 935 Ralph David Abernathy Boulevard.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

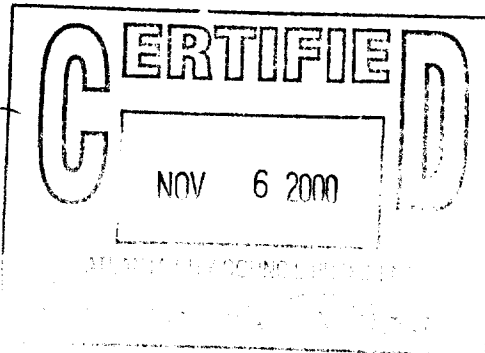
ADVERSE REPORT

CONSENT AGENDA

OM. *Public Safety*

ADVERSED BY
CITY COUNCIL NOV 06 2000

10/31/00
V- *Clara Tucker*
Darryl Smith
Michael Smith
Henry L. Dwyer



CERTIFIED
NOV 06 2000
Renee Daughin Johnson
MUNICIPAL CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

November 15, 2000

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Darrell L. Burrow
Attorney at Law
4812-A Old National H'way.
College Park, GA 30337

00-R-1754

RE: Terron Mitchell

Dear Attorney Burrow:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0458

Date: October 17, 2000

Claimant /Victim TERRON MITCHELL
BY: (Atty) Darrell L. Burrow
Address: 4812-A Old National Highway, College Park, Georgia 30337
Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated
Date of Notice: 07/26/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 06/29/00 Place: 935 Ralph David Abernathy Boulevard
Department Planning and Development Division:
Employee involved DeWitt W. Martin Disciplinary Action:

NATURE OF CLAIM: The driver of the City vehicle was following too closely and rear ended the claimant's vehicle. However, the claimant has failed to furnish information necessary to substantiate his claim.

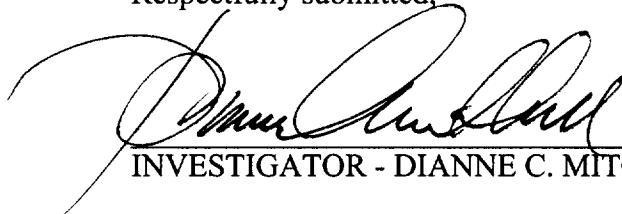
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report X Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned X

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Darrell L. Burrow Concur/date 10-17-00
Committee Action: Council Action

DARRELL L. BURROW, P.C.

ATTORNEY AT LAW

4812 - A OLD NATIONAL HIGHWAY
COLLEGE PARK, GEORGIA 30337

TELEPHONE: (404) 559-1121
FACSIMILE: (404) 559-1118

ENTERED - 8-1-00 - SB
00L0458 - DIANNE MITCHELL

MAILING ADDRESS:
P. O. BOX 640067
ATLANTA, GEORGIA 30364

July 17, 2000

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Z 397 178 144

Bill Campbell, Mayor
City of Atlanta
55 Trinity Avenue, SW
Atlanta, Georgia 30335

JUL 24 2000

ANTE LITEM NOTICE PURSUANT TO O.C.G.A. 36-33-5

RECEIVED

RE: My Client: Terron Mitchell
City Employee: Detwitt Walker Martin
Date of Incident: 06/29/2000

JUL 26 2000

**CITY OF ATLANTA
OFFICE OF MAYOR**

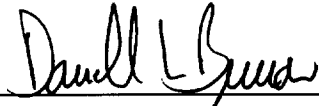
NOTICE IS HEREBY GIVEN, pursuant to O.C.G.A. 36-33-5, that Terron Mitchell intends to pursue his claim for personal injuries against the above-named party and the City of Atlanta; and, as required by law, you are notified as follows:

1. That on June 29, 2000, at approximately 1:00 p.m., Terron Mitchell was traveling westbound on Ralph David Abernathy Boulevard approaching Ashby Street in the City of Atlanta, Fulton County..
2. Detwitt Walker Martin, driving a 1999 Ford Taurus owned by the City of Atlanta, was negligent in that he was unable to bring his vehicle to a stop as he was traveling behind the vehicle being driven by Terron Mitchell.
3. Detwitt Walker Martin rear-ended the vehicle being driven by Terron Mitchell.
4. Terron Mitchell received injuries to his back and neck as a result of this incident and was taken to Grady Hospital from the scene of the incident.
5. Terron Mitchell will be making a claim for person injuries, lost earnings, medical expenses, physical and mental pain and suffering, and future mental and physical pain and suffering.
6. The injuries suffered by Terron Mitchell were caused by the negligence of Detwitt Walker Martin, who was operating the vehicle owned by the City of Atlanta.

Pursuant to O.C.G.A. 36-33-5, you are notified that Terron Mitchell will be presenting a claim for all of the damages outlined above and will demand payment in an amount that is not yet determined for all of the damages outlined.

A supplemental notice will be mailed to you once a value has been assigned to Mr. Mitchell's claim.

SO NOTICED, this 20th day of July, 2000.



Darrell L. Burrow
Attorney for Claimant, Terron Mitchell

00- R-1754

RCS# 2356
11/06/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
B Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-R-1422
00-R-1666

CONSENT

ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	11/06/00 Council Meeting ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1577 2. 00-O-1586 3. 00-O-1615 4. 00-O-1661 5. 00-O-1663 6. 00-O-1670 7. 00-R-1578 8. 00-R-1685 9. 00-R-1780 10. 00-R-1659 11. 00-R-1688 12. 00-R-1689 13. 00-R-1704 14. 00-R-1722 15. 00-R-1723 16. 00-R-1708 17. 00-R-1774 18. 00-R-1709 19. 00-R-1710 20. 00-R-1711 21. 00-R-1712 22. 00-R-1713 23. 00-R-1714 24. 00-R-1715 25. 00-R-1717 26. 00-R-1718 27. 00-R-1719 28. 00-R-1720 29. 00-R-1721	30. 00-R-1716 31. 00-R-1724 32. 00-R-1725 33. 00-R-1727 34. 00-R-1728 35. 00-R-1729 36. 00-R-1730 37. 00-R-1731 38. 00-R-1732 39. 00-R-1733 40. 00-R-1734 41. 00-R-1735 42. 00-R-1736 43. 00-R-1737 44. 00-R-1738 45. 00-R-1739 46. 00-R-1740 47. 00-R-1741 48. 00-R-1742 49. 00-R-1743 50. 00-R-1744 51. 00-R-1745 52. 00-R-1746 53. 00-R-1747 54. 00-R-1748 55. 00-R-1749 56. 00-R-1750 57. 00-R-1751 58. 00-R-1752	59. 00-R-1753 60. 00-R-1754 61. 00-R-1755 62. 00-R-1756 63. 00-R-1757 64. 00-R-1758 65. 00-R-1759 66. 00-R-1760 67. 00-R-1761 68. 00-R-1762 69. 00-R-1763 70. 00-R-1764 71. 00-R-1765 72. 00-R-1766 73. 00-R-1767 74. 00-R-1768 75. 00-R-1769 76. 00-R-1770 77. 00-R-1771 78. 00-R-1772 79. 00-R-1773